

REMARKS

Claims 28-52 are pending in the captioned application. In the outstanding Official Action, the Examiner has required restriction of claims 28-52 to a single species from each of Groups I and II, as follows:

I. A single protein or polypeptide:

- a. a specific protein or polypeptide capable of externally binding to the colloidal particles; OR
- b. a specific protein or polypeptide capable of binding polymers of the polyalkylether, polylactic and polyglycolic acid families AND a specific polymer from one of those families; OR
- c. a specific amino acid sequence including a specific designation for X; OR
- d. a specific protein or polypeptide selected from: prothrombin, Factor VIIa, Factor X, Factor V, Factor IX (FIX), granulocyte colony-stimulating factor (G-CSF), granulocyte macrophage colony-stimulating factor (GM-CSF), interferon, glucagon-like peptide 1 (GLP-1), and capaxone.

II. A single disease:

- a. multiple sclerosis;
- b. diabetic neuropathy;
- c. senile dementia;
- d. Alzheimer's disease;
- e. Parkinson's Disease;
- f. facial nerve palsy;
- g. glaucoma;
- h. Huntington's chorea;
- i. amyotrophic lateral sclerosis;
- j. status epilepticus;
- k. non-arteritic optic neuropathy; or
- l. vitamin deficiency.

ELECTION

Applicants hereby provisionally elect: I. granulocyte colony stimulating factor (G-CSF) as the "specific protein or polypeptide"; and II. multiple sclerosis as the disease, without traverse.

Further as required by the examiner Applicants submit that the claims that read upon the elected species are as follows:

- i. Granulocyte colony stimulating factor (G-CSF): claims 28-43, 47, 48, and 49-51; and
- ii. Multiple sclerosis: claims 28-42, 44, 46, 47, and 49-51.

Applicants note that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

CONCLUSION

In view of the foregoing, applicants respectfully request Examination on the merits.


If the Examiner has any questions or wishes to discuss this matter, the Examiner is welcomed to telephone the undersigned attorney.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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